



Request for City Council Committee Action from the Department of Public Works

Date: April 30, 2013

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Subject: **Sidewalk Repair Assessment Cancellation**

Recommendation:

- A. Passage of a Resolution cancelling a sidewalk repair special assessment for property identified as PID 15-028-24-43-0012, at 5220 3rd Av S for payable 2013 and subsequent years' tax files.
- B. Authorize proper city officials to refund the principal and interest installments collected against the property through the 2010, 2011 and 2012 property taxes in the amount of \$744.99.

Department Information

Prepared by: Suzette Hjermstad, RE Investigator II, 673-2401

Approved by: _____

Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Suzette R. Hjermstad

Financial Impact

- No financial impact
- Action is within the Business Plan

Supporting Information

Purpose

The purpose of this letter is to request cancellation of a Public Works Department sidewalk repair special assessment for payable 2013 and subsequent years' tax files for a property at 5220 3rd Av S and identified as PID 15-028-24-43-0012 with a balance remaining of \$217.29.

Background

Each year the Public Works Department transmits numerous assessment rolls to the County to be levied to the next years' property tax statements. The assessment rolls are certified to Hennepin County by November 30th.

Under the authority of Chapter 10 of the Minneapolis City Charter, the City Council assesses benefited properties for various improvement projects. Chapter 10, Section 15 of the City Charter further provides that the City Council may, by resolution, direct the County Auditor of Hennepin County, to cancel, on any record, where the same appears, any special assessments therefore assessed and levied by said City Council, whether because the assessment was irregular or erroneous.

Property Summary

This property was included on the 2009 sidewalk assessment roll that was levied to taxes beginning in 2010. The total amount of the assessment was \$1,086.41. Principal and interest installments for this assessment were collected with 2010, 2011 and 2012 property taxes and a principal plus interest installment of \$233.56 is included in the 2013 taxes. The owner of this property, Gary Shoquist, paid the assessment in full on August 31, 2009 as evidenced in Sidewalk Division records and a copy of the canceled check provided by the property owner. The payment was not reported to the special assessment office to be removed from the assessment roll before certification to Hennepin County. This omission was brought to staff's attention when the property owner recently contacted the Special Assessment Office to inquire about the assessment on their property taxes.

Staff recommends that in addition to cancelling the balance of the sidewalk repair assessment, that the City refund the principal and interest installments collected through the 2010, 2011 and 2012 property taxes in the amount of \$744.99.

T&PW – Your Committee recommends passage and summary publication of the accompanying resolution directing the Hennepin County Auditor to cancel the levied 5-year sidewalk repair assessment on the parcel identified by its Property ID Number for taxes payable in 2013 and subsequent years.

Colvin Roy

Cancellation of Minneapolis Public Works Sidewalk Repair Special Assessment

Directing the Hennepin County Auditor to cancel the special assessment for sidewalk repair improvements for the payable 2013 and subsequent years' tax files described hereinafter.

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, The City Council of the City of Minneapolis passed Resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to a full prepayment of the assessment.

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis City Charter, the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessments from the 2013 and subsequent years' tax statements:

LEVY	PROJECT	PROPERTY ID	ORIGINAL AMT
01052	10S05	15-028-24-43-0012	\$1,086.41